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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KHACHIK SIMONYAN,

Defendant.

CASE NO. CR S 00-0323 KJM

MOTION TO RECALL ARREST WARRANT AND
CLOSE CASE;
ORDER

An indictment was filed in this matter on June 22, 2000, an indictment was returned against the above-referenced defendant alleging a violation of Title 18, United States Code §§ 1347 and 2 [Health Care Fraud and Aiding and Abetting]. (Docket, #1). A superseding indictment was returned against the same defendant on August 24, 2000. (Docket, # 18). A second superseding indictment was returned against this defendant and a co-defendant on April 19, 2001. (Docket, #50). Both named defendants appeared in this district and the co-defendant resolved his case by a guilty plea. (Docket, ## 59, 64, 115. Defendant Simonyan was convicted following a jury trial. (Docket, ## 143-144). Simonyan failed to appear for his sentencing, an arrest warrant issued, and he has made no further appearances in this case. (Docket, # 163).

Subsequently, the government confirmed Simonyan's presence in Armenia. Earlier this year, the government was informed by the Armenian government that Simonyan had passed away on or about

1 April 25, 2013. The government was provided with a copy of a death certificate, and noted the same
2 date of birth and Social Security number belonging to the identified deceased and the defendant.

3 Based upon the foregoing, the government respectfully requests that the arrest warrant be
4 recalled. In addition, because proceedings against Simonyan's co-defendant are no longer pending (see,
5 e.g., Docket, # 176), the government asks that this case be closed on the Court's docket.

6 Dated: October 1, 2014

BENJAMIN B. WAGNER
United States Attorney

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8 /s/ Philip A. Ferrari

PHILIP A. FERRARI
Assistant United States Attorney

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11 **ORDER**

12 Good cause having been provided, the arrest warrant is recalled and Case CR S 00-0323 KJM
13 shall be closed on the Court's docket.

14 **SO ORDERED:**

15 DATED: October 2, 2014.

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18 UNITED STATES DISTRICT JUDGE
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